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June 17, 2022

(via ECF)
Honorable Denis R. Hurley
United States District Court
Eastern Division of New York
100 Federal Plaza
Central Islip, New York 11722

**Re: Francisco Rodriguez et al. v. Ridge Restaurant, Inc.
d/b/a Alfredo's Pizzeria, Dennis Donofrio, and Philip Donofrio
Eastern District Case No. 2:16-cv-00254-DRH-AKT**

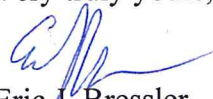
Dear Judge Hurley:

We are the attorneys for Defendants and write in opposition of plaintiff's June 8, 2022 exception, ("Letter"), to the Report and Recommendation of Magistrate Judge Lindsay, ("R&R") which recommended a 50% across the board reduction in plaintiff's client attorneys fees and in support of Defendants' exception to the R&R.

Plaintiff's June 8, 2022 submission curiously fails to effectively refute any of the facts or arguments set forth in the R&R. Specifically, the Letter does not dispute that time was exaggerated and unnecessary and that Plaintiff prolonged and complicated the matter by its unreasonable litigation stance. Similarly, the Letter does not dispute that the results achieved were but a small fraction of the exaggerated amount sought. Contrary to the assertion in the Letter, the success of the Plaintiff is to be considered in awarding fees, as correctly noted in the R&R. The Letter improperly relies solely on broad statements of law without reference to the specifics of this case. Under these circumstances, the affirmative relief sought by the Letter should be denied and affirmative relief as sought by Defendants granted.

Thank you for your consideration of our position.

Very truly yours,


Eric J. Bressler

EJB/cs
cc – Steven J. Moser, Esq.